

## Department of Justice

## § 29.3

3600A(f) makes it a felony offense, punishable by up to five years of imprisonment, for anyone to knowingly and intentionally destroy, alter, or tamper with biological evidence that is required to be preserved under section 3600A with the intent to prevent that evidence from being subjected to DNA testing or prevent the production or use of that evidence in an official proceeding.

(c) *No effect on validity of convictions.* Section 3600A's requirements are enforceable through the disciplinary sanctions and criminal sanctions described in paragraphs (a) and (b) of this section. A failure to preserve biological evidence as required by section 3600A does not provide a basis for relief in any postconviction proceeding.

### PART 29—MOTOR VEHICLE THEFT PREVENTION ACT REGULATIONS

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AUTHORITY: 28 U.S.C. 509, 510; 42 U.S.C. 14171.

SOURCE: 61 FR 40725, Aug. 6, 1996, unless otherwise noted.

#### § 29.1 Purpose.

(a) The purpose of this part is to implement the Motor Vehicle Theft Prevention Act, 42 U.S.C. 14171, which requires the Attorney General to develop, in cooperation with the states, a national voluntary motor vehicle theft prevention program. The program will be implemented by states and localities, at their sole option.

(b) Under this program, individual motor vehicle owners voluntarily sign a consent form in which the owner

(1) Indicates that the identified vehicle is not normally operated under certain specified conditions and

(2) Agrees to display a program decal or license plate on the vehicle and to permit law enforcement officials in any jurisdiction to stop the motor vehicle if it is being operated under specified conditions and take reasonable steps to determine whether the vehicle is being operated by or with the permission of the owner.

(c) The regulations set forth in this part establish the conditions under which an owner may consent to having his or her vehicle stopped and the manner in which a State or locality may elect to participate.

#### § 29.2 Definitions.

For the purposes of this part:

(a) *The Act* or *the MVTPA* means the Motor Vehicle Theft Prevention Act.

(b) *Owner* means the person or persons whose name(s) appear(s) on the certificate of title or to whom the car is registered. In the instance of a new vehicle awaiting sale or lease or in the instance of a used vehicle where the title has been assigned to a dealership, the term "owner" shall be construed to mean new and used automobile dealerships.

(c) *The Program* refers to the National Voluntary Motor Vehicle Theft Prevention Program implemented pursuant to the Motor Vehicle Prevention Act.

#### § 29.3 Administration by the Bureau of Justice Assistance.

The Director of the Bureau of Justice Assistance shall administer this Program and shall issue guidelines governing the operational aspects of it, including the design and production of a standardized, universally recognizable MVTPA reflective decal, as well as model consent and registration forms.